

For GC

FILED

AUG 31 2015

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

LINDSEY K. SPRINGER,

Plaintiff,

v.

Case No. 15-Cv-142-JED-FHM

(1) The agency UNITED STATES ATTORNEY
FOR THE NORTHERN DISTRICT OF OKLAHOMA,
Danny C. Williams, Sr., Officially; et al.,
Defendants.

PLAINTIFF'S MOTION FOR ORDER MAKING PUBLIC THE APPOINTMENT
BY ATTORNEY GENERAL ERIC H. HOLDER, Jr., APPOINTING
THOMAS SCOTT WOODWARD PURSUANT TO 28 U.S.C. § 546(a)

Lindsey K. Springer ("Plaintiff") moves this Court for an order making public the appointment of Attorney General Eric H. Holder, Jr., naming Thomas Scott Woodward ("Woodward") to the Article II, § 2, Cl.2 office of United States Attorney for the Northern District of Oklahoma, pursuant to 28 U.S.C. § 546(a), to which the Honorable District Judge, Claire V. Eagan relied upon when issuing the appointment of Thomas Scott Woodward to the Article II, § 2, Cl. 2 office of United States Attorney for the Northern District of Oklahoma, on May 24, 2010, pursuant to 28 U.S.C. § 546(d). The May 24, 2010 order of appointment is attached to Plaintiff's Declaration mailed August 20, 2015, as Exhibit 46, pg 5 of 6

26 U.S.C. § 546(a) reads:

"Except as provided by subsection (b), the Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant."

28 U.S.C. § 546(c)(2) limits the term of appointment by the Attorney General to no more than 120 days.

28 U.S.C. § 546(d) reads:

"If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the Court shall be filed with the Clerk of Court."

Section 546(d) clearly requires expiration of an appointment by the Attorney General under section 546(c)(2), before Congress authorizes this Court to exercise its Article II, § 2, Cl. 2 "Courts of Law" authority to appoint a United States Attorney.

An instrument of appointment signed by Eric H. Holder, Jr. is distinctly different from an oath Mr. Woodward signed on January 25, 2010. Plaintiff attached to his August 20, 2015 Declaration, at Exhibit 44, pg. 3 of 4, a copy of an order of appointment by Eric H. Holder, Jr. appointing Tamara W. Ashford to the office of Principal Deputy Assistant Attorney General.

In a public filing by Mr. Woodward, Kenneth P. Snoke, and Charles A. O'Reilly, dated January 27, 2010, these three persons, and as officers of this Court, declared that Mr. Woodward was appointed by the Attorney General and sworn in on January 21, 2010. Plaintiff attached to his complaint a copy of the filing in the record of the Northern District of Oklahoma Court at Exhibit 9, pg. 6 of 8.

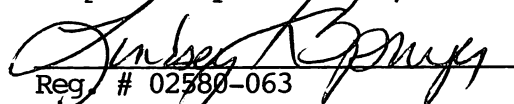
Plaintiff has requested under the Freedom of Information Act the instrument of appointment by the Attorney General and has recently been informed by the Executive Office of United States Attorneys that the only record they could find in their office, or that of Mr. Williams, was an oath Affidavit Mr. Woodward signed on May 25, 2010, after Judge Eagan's May 24, 2010 order of appointment. Plaintiff attached to his August 20, 2015 Declaration, at Exhibit 39, pg. 4 of 5, a copy of Mr. Woodward's May 25, 2010 oath he took.

Danny C. Williams, Sr., the current United States Attorney, informed the record of the Northern District of Oklahoma, that Attorney General Eric H. Holder, Jr., appointed Mr. Woodward for a 120 day term, pursuant to 28 U.S.C. § 546(a) and (c)(2), on January 25, 2010. Plaintiff attached Mr. Williams' filing to Plaintiff's August 20, 2015 Declaration at Exhibit 45, pg. 2 of 4

CONCLUSION

Lindsey K. Springer respectfully request, for the integrity and reputation of the Honorable United States District Court for the Northern District of Oklahoma, that this Court enter an order making public the instrument of appointment by Attorney General Eric H. Holder, Jr., appointing Thomas Scott Woodward to the Article II, § 2, Cl.2 office of United States Attorney for the Northern District of Oklahoma, pursuant to 28 U.S.C. § 546(a) and (c)(2), dated on or before January 25, 2010, that Judge Eagan relied upon in exercising the authority of Congress, pursuant to 28 U.S.C. § 546(d), on May 24, 2010.

Respectfully Submitted,


Reg. # 02580-063
Federal Satellite Low-La Tuna
P.O. Box 6000
Anthony, New Mexico 88021

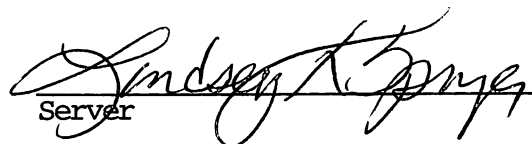
CERTIFICATE OF SERVICE

I hereby certify that I mailed the above Motion on August 26, 2015, to the Clerk of Court, by U.S. First Class Mail Postage Prepaid, at 333 West Fourth Street, Tulsa, Oklahoma 74103 ;

I further certify that the following persons shall receive service of the above Motion through this Court's ECF system being they are registered users:

Danny C. Williams, Sr.
Cathryn D. McClanahan

for the Defendants


Server

DECLARATION OF MAILING

I declare under the penalty of perjury pursuant to 28 U.S.C. § 1746(1), under the laws of the United States of America, that on August 26, 2015, I deposited the above Motion in the U.S. Mailbox located inside FSL La Tuna Federal Prison to the address listed above.


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Lindsay Kent Springer
Reg. # 02580-063
Federal Satellite Now-ka Tuna
P.O. Box 6000
Anthony, New Mexico 88021

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28 AUG 2015 PM 11T

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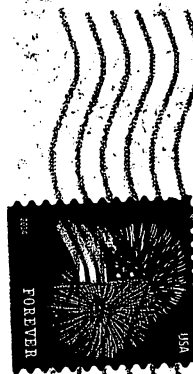
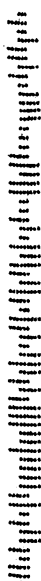
02580-063
Clerk Of Court
Northern District of Okla
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United States

Legal Mail
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AUG 31 2015

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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